

## ABUSE OF POWER BY PRESIDENT

Morgan Declares Laws Governing Canal Zone Necessary But Unauthorized.

### DISCUSSION OF TYPE BEGUN

Question of Purchase of Supplies Abroad if Prices Here Are Unreasonable.

(By Associated Press.)  
WASHINGTON, May 28.—In the Senate today, Mr. Morgan (Alabama), speaking on the joint resolution, reported from the committee on finance, authorizing the purchase of articles for the Panama Canal to be of United States production unless the prices were extortionate and unreasonable in the opinion of the President, declared the laws put in force by the President for the government of the canal zone to be an abuse of power. No member of Congress would dare to introduce such law, he said. He mentioned as an instance the provision permitting the Governor to banish undesirable persons. This law, he said, was absolutely necessary to good government and the canal zone could not be controlled without it. Yet he said the President had exceeded his authority. He said that two years' experience had developed the fact that the canal never can be built under existing law. The bill, he said, had been placed in the hands of men who have no boundaries of power.

**Proposed Amendment.**  
In line with his remarks, Senator Morgan offered an amendment making the canal zone a military reservation and providing that all of the income of the zone should be set aside for the benefit of the zone, to be administered for that purpose without having to be covered into the treasury of the United States. This amendment provided for the payment of a duty of 10 per cent. ad valorem on all goods imported to the canal zone from territory not controlled by the United States.

Senator Rayner, of Maryland, opposed the resolution. He stated his objections, he said, because the Maryland State Company, a concern in his State, was one of the beneficiaries of the resolution, for two steel dredges upon which bids had been mailed.

Senator Mallory offered an amendment to the resolution to strike out the word "extraneous," so that goods could be purchased abroad if American prices were unreasonable. Senator Stone favored the amendment and spoke in opposition to the resolution.

Senator Gallinger offered an amendment providing that all goods for the canal zone shall be carried in American ships wherever that is possible.

**Favors Sea-Level Canal.**  
The resolution went over until tomorrow and the Senate took up the canal type bill. Senator Kittredge spoke at length in defense of a sea-level canal. He entered upon a technical discussion of the sea-level plan. He said the only engineering problems to be met in the plan are the dam to be built at Gamboa and the proposed tidal lock on the Pacific side.

Senator Gallinger asked if it was not a fact that the great dam from the local canal would be founded on mud.

"Absolutely a fact," replied Senator Kittredge.

Senator Hopkins denied the statement, saying that the dam would be built on rock except for two points, and Senator Kittredge read from the letter of W. Henry Hunter, chief engineer of the Manchester ship canal, in support of his statement concerning the canal.

In reply to questions, Senator Clay, it was stated by the South Dakota senator that the time of passage of a ship through the lock canal is much greater than through the sea level canal. Senator Bacon showed from statements made by the sea level canal could be deepened much easier than could the lock type.

At 4:45 o'clock the canal bill was laid aside for the day.

## SCOURED CAPITOL FOR CONGRESSMEN

House Without Quorum and the Members Are Brought in Under Arrest.

(By Associated Press.)  
WASHINGTON, D. C., May 28.—Early in the session of the House today, Mr. Williams (Mississippi), the floor leader of the minority, made the point that there

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was no quorum present, and it took a call of the House to start the wheels of legislation.

After the appearance of the quorum, the House concurred in amendments made by the Senate to a number of House bills.

The House then resolved itself into a "city council" for the consideration of bills relating to the District of Columbia.

The compulsory educational bill for the District, occupied most of the day in its consideration, the bill being finally passed on its passage.

On a division the absence of a quorum was disclosed. Mr. Williams (Mississippi), not desiring to raise the point, moved that the House adjourn. Mr. Payne (New York), made a similar motion. "I am perfectly willing that the motion should come from that side of the chamber," said Mr. Williams. But the motion did not prevail, the Republicans voting in the negative.

Mr. Williams made the point of "no quorum" and a call of the House ensued, the years and nays being called on the passage of the compulsory education bill.

### Brought Them In.

The sergeant-at-arms and his assistants started on a round of the hotels and other residences of members and one by one the members reported. Mr. Hedge (Iowa), after having voted, made a parliamentary inquiry. "Is this compulsory education?" he asked, which created a round of laughter. On the appearance of General Grosvenor (Ohio), Mr. Williams, in a facetious vein, stated that the rules of the House compelled an explanation.

Mr. Grosvenor replied that his presence was the best explanation.

At 7:45 a quorum was obtained, two hours having been consumed in the effort.

Mr. Williams (Mississippi), stated that for the first time in the life of this Congress the strict rule of the House had been put in operation as to bringing members before the bar under arrest and as there seemed to be some misunderstanding in relation to the rule he asked unanimous consent that the whole matter of the making of a quorum be stricken from the record. The bill was then passed and the House adjourned until noon tomorrow.

### MAKES IT FELONY.

Severe Punishment for Government Employees.

(By Associated Press.)

WASHINGTON, May 28.—Senator Culbertson was today authorized by the committee on the Judiciary to report favorably his bill, making it a felony for an officer or employee of the government to impart any information gained by reason of his public position, which might effect the market value of any product of the soil, when such information is required by law or under the rules and practices of any department of the government to be withheld from publication until a fixed time. Such an offense is made punishable by imprisonment for not more than ten years and fine not exceeding \$10,000.

The bill provides the same penalties when any officer or employee of the United States uses information gained in like manner for purposes of speculation.

### Washington Affairs.

(From Our Regular Correspondent.)  
WASHINGTON, D. C., May 28.—Rural route No. 1 ordered established August 1, 1906, at Libk Run, Hotelort county, Va., serving 65 people and 121 houses.

Virginia postmasters appointed: Bel Spring, Pulaski county, Frank L. Harris, vice J. C. Dillon, resigned; Brownsville, Pittsylvania county, Harry E. Long, vice R. W. Barrow, resigned.

Rural carriers appointed: Virginia—Wintercock, route No. 2, Howard A. Dyer, carrier; Charles L. Dyer, sub. North Carolina—Lumber Bridge, route No. 1, Daniel S. Marley, carrier; Garden R. Thigard, sub.

## JUSTICE BROWN RETIRES FROM U. S. SUPREME COURT



JUSTICE BROWN.

(Special to The Times-Dispatch.)  
WASHINGTON, D. C., May 28.—Mr. Justice Brown, of the United States Supreme Court, today delivered his last opinion as a member of that tribunal, and when the court adjourned for the summer recess Mr. Brown's active connection with the body ceased. He will go on the retired list, drawing salary as long as he lives, and his place will be filled next October by the appointment of some one else.

Mr. Justice Brown was appointed to the Supreme bench in 1890, to succeed Mr. Justice Miller. He was appointed from Michigan, in which State he had

made his home since 1860. Mr. Justice Brown will return to Michigan, close up some private affairs, and will then take an extended trip abroad.

Official announcement of the retirement of Justice Brown was made today by Chief Justice Fuller before the adjournment for the term. In making the statement he gave out the correspondence between the retiring justice and the court, in which the eight colleagues of Justice Brown expressed their high appreciation of him as a justice. Justice Brown replied in fitting terms to the members of the court, thanking them for their expressions of good-will.

The others are not widely known or prominent.

## GOVERNMENT TO PUNISH LYNCHERS

Rule Issued for Twenty-six Chattanooga Men, Including Sheriff and Deputies.

### THE ACTION CAUSES SURPRISE

Local Grand Jury Has Already Failed to Find Indictment Against Suspects.

(By Associated Press.)

WASHINGTON, May 28.—The government has taken steps to punish the persons who are responsible for the lynching in Chattanooga, Tenn., March 19th, of the negro Edward Johnson, who, under the sentence of death for criminal assault, had been allowed an appeal by the United States Supreme Court from the Circuit Court of the United States for the eastern district of Tennessee. In the Supreme Court today Attorney-General Moody filed an order requesting that, in consideration of the acts committed by the persons named, it issue a rule upon each of them to show cause why they should not be punished for contempt of the court.

### The Defendants.

The persons named as defendants are John F. Shipp, Frank Jones, Matthew Galloway, C. A. Baker, T. and Taylor, Frederick Frailey, George Brown, Jeremiah Gibson, Marion Perkins, Joseph Clark, "Nick" Nolan, "Sheenie" Warner, Luther Williams, Paul Pool, William Marquette, William Beeler, Claude Powell, Charles J. Powell, "Bart" Justice, John Jones, A. C. Cartwright, Henry Endicot, William May, Frank Ward, John Varnell and Alfred Hammond.

After reciting the facts of the arrest, conviction and sentence of Johnson, the denial of his petition for writ of habeas corpus by the Circuit Court, in which it was alleged, among other things, that the petitioner had been denied a trial by a fair and impartial jury, and had been denied the aid of counsel, in violation of the fifth and sixth amendments to the constitution and other rights under the fourteenth amendment; and the order of the court of March 19th, allowing the appeal to the Supreme Court; and the fact of the telegraphing of the order of the court to John F. Shipp, the sheriff, who had Johnson in charge, and the publication of the action of the court in the Chattanooga evening papers of that date, the attorney-general stated that the sheriff and his deputies had every reason to believe from current reports and rumors conveyed to them that an attempt would be made to lynch Johnson, and that, notwithstanding these facts, the sheriff withdrew from the jail early in the evening of the nineteenth the usual guard, and left in charge only the night jailer, Deputy Sheriff Gibson.

### Sheriff Aided Mob.

It was also stated that about 9 o'clock that night the defendants and a large number of other persons combined and conspired together to lynch and murder Johnson, with intent to show their contempt and disregard for the order of the court.

The facts attending the lynching are given in the information filed and the statement is made that, although Sheriff Shipp returned to the jail while it was in possession of a mob, neither he nor Deputy Gibson did anything to prevent the lynching, but, in fact, aided those engaged in it.

The court granted leave to file, as requested, making returnable on the second Monday of the next term of court October 15th next.

### Surprise in Chattanooga.

(By Associated Press.)  
CHATTANOOGA, TENN., May 28.—The action of the attorney-general of the United States came as a surprise here, the local grand jury having failed to find an indictment against the lynchers of Johnson, although strongly charged by Judge Reynolds. It is supposed that the evidence adduced was insufficient to make out a case against any suspect. Ten of the men named by the attorney-general are officials, the sheriff and his deputies.

## COURT'S DECISION FAVORING RAILWAY

Action of Commissioner Held to Be Interference With Interstate Commission.

(By Associated Press.)

WASHINGTON, May 28.—The Supreme Court of the United States today decided the case of the North Carolina Railroad Commissioner vs. the Southern Railway Company, in favor of the railroad company.

The case involved the right of a State to compel a railroad company to place its cars on tracks designated by the State authorities for the benefit of individual shippers.

It was instituted by the Corporation Commission against the railroad company because of the refusal of the latter to obey an order directing that coal cars be placed on a certain switch at Greensboro, N. C.

The company expressed its willingness to place the cars on other switches, but pleaded inability to comply with the demand as to the particular switch. The railroad company attacked the law as unconstitutional on the grounds that it involved an interference with interstate commerce, and the Circuit Court sustained this position.

That decision was affirmed by today's opinion, which was delivered by Justice White.

In his opinion, Justice White said that State railroad commissioners have authority to reasonably regulate the delivery of freight within the State, but not to the extent of imposing a burden of commerce between the States, as was the case in this instance. Justice White said in addition:

"Viewing the order which is under consideration in this case as an assertion by the corporation of its general power to direct carriers engaged in interstate commerce to deliver all cars containing such commerce beyond their right of way and to a private siding, the order manifestly imposed a burden so direct and so enormous as to leave no room for question that it was a regulation of interstate commerce."

### Nominations.

(By Associated Press.)  
WASHINGTON, May 28.—The President today sent to the Senate the nominations of Henry T. Dunn to be collector of customs, District of Brunswick, Ga.; Branson R. Buson, to be postmaster at Kernersville, N. C., and Archibald B. McClintic, to be postmaster at Pineville, Va.

There is nothing nicer packed than Argo Red Salmon, and yet the price is within the reach of all. 15c a can.

## The Sweet-Toned Piano, The Celebrated Stieff.

A tone as delicate, as musical as rippling water, with such a graceful beauty they have served as models for many other makers.

In the sale of used Pianos we have one 1400 Rosewood Upright for only

\$169

Full size 7-1-8 octaves. Every part in good condition. Terms, \$5 Per Month.

STIEFF'S  
307 East Broad St.  
L. B. SLAUGHTER, Mgr.

## 8 DEAD, 22 HURT, IN TRAIN WRECK

Four Passenger Cars on Louisville and Nashville Railroad Derailed.

### FLANGE ON WHEEL BROKE

Threw Open Switch and Caused Coaches to Side-Swipe Standing Box Cars.

(By Associated Press.)

LOUISVILLE, KY., May 28.—Eight persons were killed and twenty-two injured today by the derailment of four cars of a passenger train on the Louisville and Nashville Railroad. The train was nearing the Union Station in Louisville at a moderate speed when a flange on a wheel of the smoking car broke, throwing open a switch and causing two of the coaches to sidewise several box cars on a siding. The dead:

HOWARD B. COLEMAN, Stanford, Ky.  
T. W. THORPE, Broadhead, Ky.  
GEORGE W. PONDER, Broadhead, Ky.

JOHN C. BLACK, Louisville.  
WILLIAM FRUITT, colored, Lebanon, Ky.

FRANCIS WEAVER, Broadhead, Ky.  
MARTIN HILTON, Broadhead, Ky.  
Unidentified white man, laborer.

The severely injured:

John McChord, Lebanon, Ky., will recover.  
Charles Speels, New Haven, both legs fractured.

Josie Speels, New Haven, both legs crushed, not expected to live.  
Murray Samuels, Lebanon Junction, right leg broken.

Most of the others injured were trainmen and negroes.

The locomotive and the combination baggage and mail car derailed the switch in safety, but a flange on the forward truck of the smoking car broke, throwing the switch open. The rear trucks of the smoking car ran on the switch, followed by the day coach and two sleeping cars. The smoking car did not break loose from the train, and was dragged two hundred feet along the ties until the side of the car struck a string of freight cars, tearing off the roof of the smoking car. The front end of the day coach was broken in for twenty feet, being torn up and all the windows broken. The hot water heater, which was in the forward end of the day coach, was hurled to the middle of the car, killing H. B. Coleman. The sleeping cars were not damaged to any extent.

The bodies of the dead were so badly disfigured that identification was difficult.

ARGO, ARGO, ARGO, ARGO, ARGO, ARGO, ARGO, ARGO, ARGO, ARGO.

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will close at 1 P. M., Wednesday,

May 30th, Memorial Day:

R. L. Christian & Co.,

McCarthy & Haynes,

Herman Schmidt,

George A. Hundley.

Food odors will positively not mix in an

Automatic Refrigerator

That point alone, ought to settle the question—oughtn't it?

But There Are Many Others That Make it the Best.

State of Pennsylvania, city of Philadelphia—

Subscribed and sworn to before me this 28th day of May, 1906.

Notary Public.

Good Territory and Liberal Contract to Offer Reliable Agents.

CUNNINGHAM HALL, Gen'l Agent,

1117 Main St., Richmond, Va.

COAL

S. H. HAWES & CO.

FUEL of all kinds. ANTHRACITE, SPLINT, NEW RIVER STEAM and LUMP COAL. All Coal is shelled, screened and delivered clean.

OUR MOTTO: "THE BEST quality, PROMPT delivery, PLEASANT customers."

PINE and OAK WOOD—long, sawed and split to order. Only the BEST.

Thank your order to No. 3817, and if that phone is busy, try No. 57.

Either one will be glad to enter your order, and will give the BEST service that you have ever had in the COAL trade.

The Louis A. Dieter Co.

BALTIMORE, MD.

Decorators and Furnishers

Furniture, Draperies, Stained Glass, Hardwood Floors, Art Glass, etc.

Presco Painting, Wall Hangings, etc.

Designs made and estimates furnished.

Richmond Representative,

R. L. PETERS,

No. 9 N. Seventh Street.

GLASS

EVERY KIND

BINSWANGER & Co.

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RICHMOND MEMPHIS

VA. TENN.

LARGEST STOCK

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For Infants and Children.

The Kind You Have Always Bought

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CASTORIA

THE CENTAUR COMPANY, NEW YORK CITY.

900 DROPS  
CASTORIA  
Vegetable Preparation for Assimilating the Food and Regulating the Stomach and Bowels of INFANTS & CHILDREN  
Promotes Digestion, Cheerfulness and Rest. Contains neither Opium, Morphine nor Mineral. NOT NARCOTIC.  
A perfect Remedy for Constipation, Sour Stomach, Diarrhoea, Worms, Convulsions, Feverishness and LOSS OF SLEEP.  
Fac Simile Signature of  
J. C. FLETCHER  
NEW YORK  
15 DROPS - 15 CENTS  
EXACT COPY OF WRAPPER.

## PENN MUTUAL LIFE INSURANCE COMPANY.

ANNUAL STATEMENT FOR THE FISCAL YEAR ENDING THE 31ST DAY OF DECEMBER 1905, OF THE CONDITION OF THE PENN MUTUAL LIFE INSURANCE COMPANY, ORGANIZED UNDER THE LAWS OF THE STATE OF PENNSYLVANIA, MADE TO THE AUDITOR OF PUBLIC ACCOUNTS FOR THE COMMONWEALTH OF VIRGINIA, PURSUANT TO THE LAWS OF VIRGINIA.

Name of the Company in full—THE PENN MUTUAL LIFE INSURANCE COMPANY. Location of home or principal office of said Company—PHILADELPHIA, PA. Character of the business transacted by the Company—LIFE INSURANCE (PURELY MUTUAL). President—HARRY F. WEST. Secretary and Treasurer—WM. H. KINGSLEY. Organized and incorporated—FEBRUARY 24, 1841. Commenced business—MAY 1, 1841. Name of the General Agent in Virginia—CUNNINGHAM HALL, Richmond, Va.

No.	Amount.
Number of policies and the amount of paid for insurance effected thereby in force at end of previous year and the amount of paid for insurance effected thereby	140,738 \$21,676,247.00
Total	140,738 \$21,676,247.00
Number of policies and the amount of insurance which have ceased to be in force during the year	14,391 \$4,311,709.00
Whole number of policies in force, and the amount of liabilities or risks thereon at end of year	126,347 \$17,364,538.00

RECEIPTS.	No.	Amount.
Amount of premiums received	112,888,520.00	
Amount of annuities received	311,622.55	
Amount of interest received	2,104,648.77	
Amount of rents received	2,039,599.19	
Amount of all other receipts	365,561.10	
Total		\$17,526,122.51

DISBURSEMENTS.	No.	Amount.
Amount of losses paid	13,715,698.13	
Amount of matured endowments paid (claimants cannot be found)	1,064,318.18	
Amount paid annuitants	2,834,156.15	
Amount paid for surrenders values	1,215,748.57	
Amount of dividends paid to policyholders	1,019,781.94	
Amount paid for expenses (including taxes, \$400,114.69)	8,258,195.17	
Total		\$30,612,326.14

ASSETS.	No.	Amount.
Bonds, market value	\$31,624,458.57	
Stocks, market value	550,093.97	
Real estate, unencumbered, market value	2,958,507.12	
Loans secured by first mortgage on real estate	7,253,091.41	
Loans secured by first mortgage on company's office	320,660.23	
Cash in banks, trust companies and company's office	6,860,448.29	
Loans on company's policies, assigned as collateral	1,274,637.58	
Commutum notes	2,714,914.69	
Loans secured by pledge of stocks and bonds	924,911.97	
Interest due and accrued	1,831.84	
Rents due and accrued	1,650,187.87	
Uncollected and deferred premiums	35,220.89	
Secured profits on real estate, under contract of sale		
Carried out at market value—Total		\$36,126,660.64

LIABILITIES.	No.	Amount.
Amount of losses unpaid (unadjusted, \$29,570,741; related, \$32,120)	132,099.74	
Amount of matured endowments unpaid (claimants cannot be found)	16,762.60	
Amount of liability on policies, etc., in force 31st December, 1905, on basis of 3% and 4% per cent. actuaries' and American mortality tables	65,189,822.60	
Amount of other liabilities, viz:		
Surplus on unreported policies, etc.	248,696.54	
Unearned interest on collateral policies, etc.	221,538.91	
Surplus accumulated upon deferred distribution policies	5,994,235.58	
Total		\$1,068,641.60

BUSINESS IN VIRGINIA DURING 1905.	No.	Amount.
Number and amount of paid for policies in force December 31, 1904	2,617 \$1,737,181.00	
Number and amount of paid for policies issued during the year 1905	473 \$46,884.90	
Total	2,990 \$1,784,065.90	
Deduct number and amount which have ceased to be in force during 1905, including removals from the State	212 \$48,678.00	
Total number and amount of policies in force at end of year 1905	2,778 \$1,735,387.90	

No.	Amount.
Amount of losses and claims on policies unpaid December 31, 1904	None
Amount of losses and claims on policies incurred during the year 1905 in cash	\$18,309.00
Amount of losses and claims on policies paid during the year 1905	\$57,900.00

Amount of premiums collected or secured in Virginia during the year 1905 in cash and notes or credits, without any deduction for losses, dividends, commissions, or other expenses \$175,831.41

(Signed) HARRY F. WEST, President.

(Signed) WM. H. KINGSLEY, Secretary and Treasurer.

State of Pennsylvania, city of Philadelphia—

Subscribed and sworn to before me this 28th day of May, 1906.

Notary Public.

Good Territory and Liberal Contract to Offer Reliable Agents.

CUNNINGHAM HALL, Gen'l Agent,

1117 Main St., Richmond, Va.

COAL

S. H. HAWES & CO.